IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

WRIT PETITION NO. 8597 OF 2004

Kum.Pragati Gurunath Bhoir
Minor through her father and
natural guardian Gurunath Gajanan
Bhoir. .. Petitioner

v/s.

State of Maharashtra & ors. .. Respondents

Mr.R.K.Mendadkar for the petitioner.

Mr.R.M.Patne, Assistant Government Pleader for the respondents.

CORAM : R.M. LODHA AND
R.S. MOHITE, JJ.

DATED : 6th April, 2005

P.C.

Heard.

2. Rule. Returnable forthwith.

3. Mr.R.M.Patne, AGP waives service for the respondents.

4. By consent, rule is heard finally at this stage.

5. During the course of hearing, the learned AGP placed before us the original register relating to the documents Exhibits ‘B’ and ‘C’ on record.

6. Without expressing any final opinion in the

matter, we are of the view that the matter requires reconsideration by the Scheduled Tribes Certificate Scrutiny Committee, Konkan Division, Thane. As a matter of fact, the learned counsel for the petitioner as well as the learned AGP agreed for that course.

7. Consequently, the impugned order dated 26th July, 2004 is set aside. The matter is remitted back to the Scheduled Tribe Certificate Scrutiny Committee, Konkan Division, Thane for reconsideration of the matter in accordance with law.

8. The petitioner is directed to appear before the said committee on 2nd May, 2005. We expect the Committee to hear and decide the matter afresh as expeditiously as possible and preferably within three months from the date of appearance of the petitioner. No costs.

(R.M. LODHA, J.)

(R.S. MOHITE, J.)